

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

JAQUINE ROBERTO TAYLOR, #167813,	)	
	)	
	)	
Plaintiff,	)	
	)	
v.	)	CASE NO. 2:14-CV-345-WHA
	)	(WO)
	)	
KIM THOMAS, et al.,	)	
	)	
Defendants.	)	

**ORDER**

This cause of action is before the court on the Recommendation of the Magistrate Judge entered on April 12, 2017 (Doc. #36). There being no timely objection to the Recommendation, and after review of the file, the Recommendation is ADOPTED, and it is hereby ORDERED as follows:

1. The plaintiff's claims for compensatory and punitive damages against the defendants in their individual capacities with respect to his claims arising under the Americans with Disabilities Act and the Rehabilitation Act are DISMISSED with prejudice as there is no individual liability under these statutes.

2. The plaintiff's claims for compensatory and punitive damages against the defendants in their individual capacities regarding his claims arising under the Eighth and Fourteenth Amendments are DISMISSED with prejudice as the defendants are entitled to qualified immunity on these claims.

3. The plaintiff's request for compensatory and punitive damages from the defendants in their official capacities as to his claims arising under the Americans with Disabilities Act and the Rehabilitation Act are DISMISSED without prejudice.

4. The plaintiff's request for declaratory and injunctive relief with respect to alleged violations of the Americans with Disabilities Act and the Rehabilitation Act are DISMISSED without prejudice.

5. The plaintiff's request for monetary damages from the defendants in their official capacities with respect to his Eighth and Fourteenth Amendment claims are DISMISSED with prejudice as the defendants are entitled to absolute immunity from such damages.

6. The plaintiff's request for declaratory and injunctive relief from the defendants in their official capacities as to the Eighth and Fourteenth Amendment claims are DISMISSED with prejudice as the defendants did not act in violation of the Constitution.

7. The defendants' motion for summary judgment is GRANTED.

8. The costs of this proceeding are taxed against the plaintiff.

9. Judgment is GRANTED in favor of the defendants.

10. Final Judgment will be entered in accordance with this order.

DONE this 4th day of May, 2017.

/s/ W. Harold Albritton  
SENIOR UNITED STATES DISTRICT JUDGE